

The Kentucky Board of Ophthalmic Dispensers
February 5, 2014

A regular meeting of the Kentucky Board of Ophthalmic Dispensers was conducted February 5, 2014, at the Office of Occupations and Professions, 911 Leawood Drive, Frankfort, Kentucky.

Members Present

Granville Smith, Chairman
Dorothy Newberry
Dr. Jim Luckett

Occupations and Professions Staff Present

Lindsey Lane, Board Administrator

Others Present

Michael West, Assistant Attorney General
Byron Brentlinger, Board Investigator

Members Absent

Dr. Gary Wortz
Melanie Abner, Secretary

Call to Order

Chairman Smith called the meeting to order at 10:09 a.m.

Approval of Minutes

Dr. Luckett made a motion to approve the meeting minutes from the November 20, 2013 meeting. Ms. Newberry seconded that motion and it carried.

Review of Financial Statements

The Board reviewed their financial statements from the months of November and December 2013.

O&P Report

Ms. Lane informed the Board that the Governor announced his proposed biennial budget on January 21, 2014. A copy of the proposed budgets will be sent to all Board members. The Legislature will review the proposal during the General Session and the budget will not be final until it is signed into law in mid-April.

Resource Management Analyst Justin Turner has left O&P for another opportunity in state government. This vacancy will be filled as soon as possible. The office is working to also fill the vacant Board Administrator position as soon as possible.

The office continues to work with Commonwealth Office of Technology on the database/online license renewal project. Board Administrators will begin testing the program soon with COT to further the process. The office will keep all Boards informed on its progress.

Board Counsel Report

Mr. West reported that there are currently six pending cases. At this time he has two Settlement Agreements for the Board to vote on for approval. Dr. Luckett made a motion to accept the Settlement Agreements from A&S Fashions, and Kandy Eyes. Ms. Newberry seconded that motion and it carried. Mr. West has also been in contact with one of the service stations that was selling colored contacts. Dongar Food Mart #2 has made contact with Mr. West in regards to a settlement. Mr. West will keep the Board informed of the progress from this case. Mr. West also had discussion with US Broadway over a settlement agreement. Dr. Luckett made a motion to accept the Settlement Agreement with US Broadway as well as an affidavit stating this will not happen again. Ms. Newberry seconded that motion and it carried.

Mr. West also informed the Board that a complaint was filed against a business that is under new ownership and the Board will need to dismiss the case that has been filed and re-file against the new owner of the store. Ms. Newberry made a motion to dismiss the case against Green Petroleum and re-file against the new store owner. Dr. Luckett seconded that motion and it carried.

Mr. West went over a complaint that was sent in regarding a Doctor that currently offers Supervision over Apprentice Opticians. The complaint explains the Board needs to know that the Dr. is not offering proper Supervision. Dr. Luckett made a motion to send a letter to this Dr. explaining that employees must be supervised at all times. Ms. Newberry seconded that motion and it carried.

Ophthalmic Inspector Report

Mr. Brentlinger reported that he had one inspection to discuss with the Board. Mr. Brenlinger purchased a pair of colored contacts from a store in Louisville. After discussing the situation with the Board, Dr. Luckett made a motion for the Board to file an Administrative Complaint against the business. Ms. Newberry seconded that motion and it carried. Mr. Brentlinger included a copy of his receipt in his report for O&P to reimburse him. At this time O&P has not reimbursed Mr. Brentlinger for the last pair of contacts that he purchased during an inspection. Ms. Newberry made a motion for the Board to reimburse Mr. Brentlinger for both sets of contacts. Dr. Luckett seconded that motion and it carried.

Ms. Lane informed the Board that Mr. Brentlingers contract for Inspection Services expires on June 30, 2014. The office will need to issue an RFP (Request for Proposal) for that position with the Board. Dr. Luckett made a motion for the office to issue an RFP for the position with the Board. Ms. Newberry seconded that motion and it carried.

Licensure Status Report

Ms. Lane did not give a status report as the Board is in the middle of licensure renewals.

Approval of Apprentice Applications

Dr. Luckett made a motion to approve the following Apprentice Applications:

1. Dustin Drifmeyer – Lenscrafters, Florence, KY
2. Kathy Criswell – Physicians Eye Center, Owensboro, KY
3. Vivian Faulkner – Eye Health of Somerset, Somerset, KY
4. Aimee Finley – Frankfort Eye Center, Frankfort, KY
5. Leslie Himes – Frankfort Eye Center, Frankfort, KY
6. Matthew Moses – Eyeglass World, Lexington, KY
7. Michael Short – Lenscrafters, Lexington, KY
8. Jaclyn Hardenberg – Lenscrafters, Louisville, KY
9. Joshua Calihan – Lenscrafters, Lexington, KY
10. Wendy Barker – Costco, Lexington, KY
11. Danielle Saylor – Huffman & Huffman, Harlan, KY
12. Ronda Seay – Korrekt Optical, Louisville, KY
13. Stephanie Barrett – Abney Eye Center, Leitchfield, KY
14. Heather Norman – Jessamine Optical, Nicholasville, KY
15. Ryan Howard – Korrekt Optical, Louisville, KY
16. Keenon Scott – Dr. Majakeys Optometrist, Lexington, KY

Ms. Newberry seconded that motion and it carried.

Approval of Practical Exam Applications

Ms. Newberry made a motion to approve the following Applications for the National Practical Exam:

1. Robin Moore – Wal-Mart Vision Center, Lawrenceburg, KY
2. Sharon Carter – Baptist Health, Madisonville, KY
3. Susan Adams – Baptist Health, Madisonville, KY

Dr. Luckett seconded that motion and it carried.

Additional Business

Mr. Smith informed the Board that the National Practical experienced some computer problems in December and the system was unavailable for about two weeks. The exam is back up and running at this time.

Ms. Lane went over some correspondence received from three licensees regarding an apprenticeship that extended the five year period. Mr. West went over the current laws and regulations and explained it only states the ABO and NCLE exams must have been

passed at the five year mark. Two of the licensees have completed both of those exams but have not successfully passed the National Practical. The Board agreed to renew both of those applications from those licensees but asked Ms. Lane to deny the application sent from the third licensee explaining that they hadn't yet passed both the ABO and NCLE exams. Mr. West asked Ms. Lane to explain to the licensee that they do have the right to appeal and they may also continue to take those exams but they may not work as an Apprentice any longer.

Approval of Travel and Per Diem

Ms. Abner made a motion to approve travel and per diem for members that attended today's meeting. Dr. Lockett seconded that motion and it carried.


Dr. Lockett made a motion to approve Mr. Smiths travel for an upcoming meeting with the ABO/NCLE in Bermuda. Ms. Newberry seconded that motion and it carried.

Next Meeting

The Board will meet again on Tuesday, March 18, 2014 at the Office of Occupations and Professions. The original date for this meeting was March 19, 2014 but was changed for scheduling purposes.

Adjournment

Ms. Newberry made a motion to adjourn the meeting at 11:31am. Dr. Lockett seconded that motion and it carried.



Granville Smith, Chairman